DAC & IFW

Docket No.: 053904-0105 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number 20277
LANG, et al.	:	Confirmation Number: 4060
Application No.: 09/401,004	:	Group Art Unit: 1639
Filed: September 21, 1999	:	Examiner: Jon D. Epperson

For: BENZIMIDAZOLE DERIVATIVES AND COMBINATORIAL LIBRARIES THEREOF

PETITION TO REVIVE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition filed under 37 C.F.R. § 1.137(b) to revive the above-referenced patent application because the abandonment was unintentional. The above-referenced patent application was abandoned for failure to respond to a Notice of Non-Responsive Amendment dated October 12, 2004.[1] Petitioner requests that the U.S. Patent and Trademark Office revive the above-referenced patent application. The entire delay in filing the reply to the Notice of Non-Responsive Amendment from the due date for reply until the granting of the petition was unintentional and Petitioner requests that the application revived. Petitioner includes a response

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[1] The Notice of Abandonment states that the application was abandoned in view of "Applicant's failure to timely file a proper reply to the Office letter mailed on 21 July 2004." This date is in error. The Office letter is dated October 12, 2004, and not July 21, 2004. The July 21st document referred to in the Notice of Abandonment is Applicant's reply (prepared and filed by Petitioner) to the non-final Office Action dated February 12, 2005.

to the Notice of Non-Responsive Amendment with this petition and authorizes that the petition fee as set forth in 37 C.F.R. § 1.17(m) be charged to Deposit Account 500417.

The Office issued a Notice of Abandonment on July 28, 2005, which included an Interview Summary which Applicant regards as incomplete. The substance of the interview as described by the Examiner in the Summary form does not reflect all of the facts and circumstances discussed with the Examiner that led to the abandonment.

On July 21, 2004, Petitioner prepared and filed a response to the Office Action dated February 12, 2004 along with the appropriate petition and fee for a three-month extension of time. The attorney of record in the application at the time the response was filed was David Spolter. The correspondence address in the application was Mr. Spolter's La Jolla, CA address. On October 12, 2004, the Examiner issued a Notice of Non-Responsive Amendment (hereinafter the Notice) and set a one-month period for response. The Notice was sent to Mr. Spolter.

On June 27, 2005, Examiner Epperson telephoned Petitioner to inquire whether a reply to the Notice had been filed. The petitioner informed the Examiner that he was unaware of the Notice and that the Notice had not been received by Petitioner's firm. Petitioner subsequently obtained a copy of the Notice from the PAIR report on the USPTO web site. The Notice had been sent to the Law Office of David Spolter, but was never forwarded by Mr. Spolter to Petitioner's firm, nor apparently was the Notice returned to the USPTO as being undeliverable.[2] Therefore, the Notice was never docketed in Petitioner's firm.

[2] The Notice of Abandonment dated July 28, 2005, along with the Interview Summary were mailed to Mr. Spolter's La Jolla, CA address of record in the patent application file. Petitioner copied the Notice of Abandonment and the Interview Summary form from the PAIR report system. The documents did not become available on the system until on or about August 4, 2005. Copies of the documents obtained from the PAIR report are attached as Exhibit 2.

The due date for the response to the Notice was November 12, 2004. It is customary, when actions are received from the USPTO, for Petitioner's firm to log the action into a master docket. Each work day, the actions due to be filed in the USPTO are listed. If the Notice had been received and docket by Petitioner's firm, the master docket for November 12, 2004 would have listed the client matter number (53904-105) and the action type and reason for the due date. A copy of the master docket for November 12, 2004 is attached as Exhibit 1, and it shows that the Notice was not received and docketed.

By way of background, on or about May 6, 2004, David Spolter transferred the above referenced patent application to Petitioner's firm as instructed by the real party in interest, LION Bioscience AG. At the time the application was filed, the application had been assigned to Trega Biosciences, Inc. In or about 2001, LION acquired Trega. The document assigning the application to LION was recorded in the USPTO on September 13, 2001, at reel 012134, Frame 0632. At the time the Notice of Non-Responsive Amendment was mailed to Mr. Spolter, he was aware that the patent application has been transferred to petitioner's firm for prosecution.

When petitioner tried to contact Mr. Spolter to have him forward the original Notice to Petitioner's firm as well as to get his cooperation in this case, Petitioner could not locate him. When Petitioner tried to get his current address from the PTO web site by accessing the register of patent attorneys and agents, it was discovered that he was not listed on the register. Petitioner subsequently learned from the Office of Enrollment and Discipline (OED) that Mr. Spolter's

name had been removed from the register for failure to respond to a survey letter from OED in 2003.[3]

Using the internet, Petitioner located Mr. Spolter as being affiliated with Ehrlich & Partners, located at Ayalon Tower, 15th Floor, 11 Menachem Begin, Street, 52 521 Ramat Gan, Israel. Petitioner corresponded by email with Mr. Spolter and, according to Mr. Spolter, he moved from and sold the property located at La Jolla, CA on or about August or September 2003 and moved to Israel. He says that he was not aware of the Notice and that if he was, he would have forwarded it to Petitioner's firm. Also according to Mr. Spolter, he was relying on petitioner's firm to file a revocation and new power of attorney.

The Examiner was advised of the following facts: (i) Mr. Spolter had moved from his La Jolla, CA address, (ii) Mr. Spolter had been removed from the register of patent attorneys and agents in August 2003, and (iii) the failure to respond was because (a) Mr. Spolter did not forward the Notice to petitioner's firm (he says he never received it) and (b) Petitioner's firm was not aware of the Notice until June 27, 2005 when the Examiner called to inquire as to whether a response had been filed.

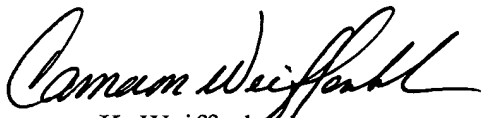
[3] Notice of Mr. Spolter's removal from the register was published in 1274 TMOG 163 (September 23, 2003). It is noted that in November 2003, Mr. Spolter filed in this application, *inter alia*, an amendment which he signed on November 5, 2003. In view of the fact that he had been removal from the register when he signed the amendment, the propriety of this amendment is unknown. See MPEP 714.01(a). However, Mr. Spolter was not aware that he had been removed from the register until informed by petitioner on or about July 13, 2005 and also personnel in Tech Center 1600 were not aware that he had been removed from the register. Since the Office acted on the amendment, it is believed that the Office has accepted the amendment. If not, a power of attorney is included with this petition from the assignee of the application and by virtue of the power of attorney, the assignee hereby ratifies the November 2003 amendment.

Enclosed with this petition is a revocation and new power of attorney and change of correspondence address from the assignee, LION Bioscience AG. It is respectfully requested that the revocation and new power be accepted.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and in connection with the filing of this paper and the reply to the Notice, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Cameron K. Weiffenbach
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Facsimile: 202.756.8087
Date: August 9, 2005

Please recognize our Customer No. 20277 as our correspondence address.

Patent Due Date List By Date

From 12-Nov-2004 To 14-Nov-2004

Master

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	RESEND RESP INSTR TO F.A.	10-Nov-2004	036080-0037	036080-0050	CA	2446539	24-May-2002	LTC
Reminder	**Status:** Pending	RESPONSE DUE		LEARNING TREE INTERNATIONAL				LTC
					Canada			
		Title: SYSTEM AND METHOD FOR ELECTRONIC PRESENTATIONS						
		Remarks: -- REQUISITIONS DTD 5/10/04 RECD 6/1/04 -- COPY OF IPER SENT TO F/A 9/9/04; ACK RECEIPT RECD VIA FAX 9/16/04 -- LTR DTD 9/20/04 FROM F.A. REPORTING MISSING 1 PG OF IPER & REMIND DUE DT FOR RESP RECV'D 9/27/04; RESP SENT PER DOCKET 10/8/04 -- FAX LTR DTD 11/3/04 FROM F.A. REMIND DUE DT (11/10/04) FOR RESP & REQ'NG OUR INSTR RECV'D 11/3/04					
12-Nov-2004	FILE CONT APPLN OF 43890-590	12-Oct-2004	043890-0336	043890-0701	US			MEF
Due Date	**Status:** Unfiled	FILE CONT APPLN OF 43890-590		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				AHC
					United States of America			
		Title: LIGHT-EMITTING DEVICE COMPRISING A GALLIUM-NITRIDE-GROUP COMPOUND-SEMICONDUCTOR						APP
		Remarks: ,,, PER CLT'S INSTRCS RECD 10/4/04						
12-Nov-2004	APPEAL/RESPONSE DUE	12-Aug-2004	043890-0401	043890-0401	US	09/493,677	28-Jan-2000	MEF
Due Date	**Status:** Pending	US-Final Office Action		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				LTC
					United States of America			
		Title: HEATSINK, METHOD OF MANUFACTURING THE SAME AND COOLING APPARATUS USING THE SAME						
		Remarks: -- FINAL OA DTD 8/12/04 RECD 8/16/04 -- 10/22/04 CLT FAX W/RESP INSTR						
12-Nov-2004	FILE DIV APPLN OF 43890-560	29-Oct-2004	043890-0560	043890-0702	US			MEF
Due Date	**Status:** Unfiled	FILE DIV APPLN OF 43890-560		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				AHC
					United States of America			
		Title: METHOD AND SYSTEM OF DRYING MATERIALS AND METHOD OF MANUFACTURING CIRCUIT BOARDS USING THE SAME						APP

Patent Due Date List By Date

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	ISSUE FEE/PUBL FEE DUE	11-Aug-2004	055071-0024	055071-0280	US	10/662,365	16-Sep-2003	MEF
Final		US-Allowance/Publication Fee		ASML MASKTOOLS, INC.				MEF
	Status: Published				United States of America			
		Title: HYBRID PHASE-SHIFT MASK						NOA
		Remarks: -- NOA DTD 8/11/04 RECD 8/13/04						
12-Nov-2004	RESP TO F.A. RE PYMT OF MF'S	12-Nov-2004	055071-0048	055071-0317	TW	091104598	12-Mar-2002	MEF
Reminder		RESP TO F.A. RE PYMT OF MF'S		ASML MASKTOOLS, INC.				MEF
	Status: Granted				Taiwan			
		Title: (322) METHOD AND APPARATUS FOR MINIMIZING OPTICAL PROXIMITY EFFECTS						FOR
	Patent No. NI-180554							
		131, 312 : METHOD OF IDENTIFYING AN EXTREME INTERACTION PITCH REGION, METHODS OF DESIGNING MASK PATTERNS AND MANUFACTURING MASKS, DEVICE MANUFACTURING METHODS AND COMPUTER PROGRAMS						
	Issue Date: 10/23/2003	**Remarks:** LTR DTD 10/7/04 FROM F.A. REPORTING NOT RECV'NG ANNUITY PYMT INSTR & REQ'NG OUR CONFIRM RECV'D 11/5/04						
12-Nov-2004	HK DEADLINE	12-Nov-2004	055071-0151	055071-0266	CN	03158830.1	26-Jul-2003	MEF
Due Date		HK DEADLINE		ASML MASKTOOLS, INC.				MEF
	Status: Published				China			
		Title: ORIENTATION DEPENDENT SHIELDING FOR DIPOLE IMAGING PERFORMANCE						FOR
		Remarks: HK DEADLINE 11/12/04 -- CLOSE, NOT FILING PER DKT OF 10/12/04						

From 12-Nov-2004 **To** 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	C/U - DEFERRED EXAM 1 YR	12-Nov-2002	055071-0173	055071-0296	CN	0310123745.9	12-Nov-2003	MEF
Reminder	**Status:** Published	Deferred Exam		ASML MASKTOOLS, INC.	China			MEF
		Title: LENS ABERRATION COMPENSATION BY ILLUMINATION SOURCE OPTIMIZATION						FOR
		Remarks: F/A LTR DTD 1/8/04 RECD W/OFFICIAL FILING RECEIPT 1/29/04; CASE TO PUBL AFTER 5/12/04; REQ FOR EXAM DUE 11/12/05						
12-Nov-2004	C/U - DEFERRED EXAM 1 YR	12-Nov-2002	055071-0174	055071-0301	CN	10123173.4	12-Nov-2003	MEF
Reminder	**Status:** Published	Deferred Exam		ASML MASKTOOLS, INC.	China			MEF
		Title: METHOD AND APPARATUS FOR PERFORMING MODEL-BASED LAYOUT CONVERSION FOR USE WITH DIPOLE ILLUMINATION						FOR
12-Nov-2004	REM - CPD DUE 1/12/05	12-Jan-2005	055071-0304	055071-0411	CN			MEF
Reminder	**Status:** Unfiled	CERTIFIED PRIORITY DOC DUE		ASML MASKTOOLS, INC.	China			DT
		Title: OPTIMIZED POLARIZATION ILLUMINATION						FOR
		Remarks: CPD DUE ASAP PER F.A.'S FAX RECD 11/1/04-- CERTIFIED COPY RECD 11/2/04						
12-Nov-2004	REM - POA/ASSIGN DUE 1/12/05	12-Jan-2005	055071-0304	055071-0411	CN			MEF
Reminder	**Status:** Unfiled	POA/ASSIGNMENT DUE		ASML MASKTOOLS, INC.	China			DT
		Title: OPTIMIZED POLARIZATION ILLUMINATION						FOR
		Remarks: POA/ASSIGNMENT FORM (FOR EXECUTION) RECD FRM F.A. VIA FAX 11/1/04						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	RESPONSE DUE	12-Aug-2004	058799-0038	058799-0038	US	09/781,187	13-Feb-2001	JAH
Due Date		US-3 Month Office Action		HITACHI, LTD.				JAH
	Status: Published				United States of America			
		Title: METHOD OF PROVIDING LOCATION SERVICE USING CDMA-BASED CELLULAR PHONE SYSTEM, A METHOD OF MEASURING LOCATION AND LOCATION SYSTEM						
		Remarks: 3MO OA DTD 08/12/04 RECD 08/16/04						
12-Nov-2004	RESTRICTION REQUIREMENT 2 WKS	26-Oct-2004	060188-0210	060188-0210	US	10/281,230	28-Oct-2002	MEF
Reminder		US-Restriction (1 Month)		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
	Status: Published				United States of America			
		Title: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE, METHOD OF TESTING THE SAME, DATABASE FOR DESIGN OF THE SAME AND METHOD OF DESIGNING THE SAME						
		Remarks: 1MO RESTRICTIVE OA DTD 10/26/04 RECV'D 10/28/04						
12-Nov-2004	SUBSTANCE OF INTERVIEW	12-Oct-2004	060188-0458	060188-0692	US	10/748,274	31-Dec-2003	MEF
Due Date		SUBSTANCE OF INTERVIEW		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
	Status: Pending				United States of America			
		Title: RESIN-ENCAPSULATED SEMICONDUCTOR DEVICE AND METHOD FOR MANUFACTURING THE SAME						
		Remarks: -- USPTO INTERVIEW SUMMARY RECD VIA FAX 10/12/04 (RESTRICT REQUIRE MAILED 9/16/04 WAS IN ERROR, NEW OA WILL BE FORTHCOMING, NO RESP NEEDED) -- INTERVIEW SUMMARY DTD 10/18/04 RECD 10/20/04 (RESTRICT REQUIRE MAILED 9/16/04 WAS IN ERROR, NEW OA WILL BE FORTHCOMING, NO RESP NEEDED)						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	FILE CERTIFICATE OF CORRECTION	16-Sep-2004	060188-0489	060188-0489	US	10/328,171	26-Dec-2002	MEF
Reminder	Status: Granted	FILE CERTIFICATE OF CORRECTION		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
					United States of America			
		Title: METHOD FOR FORMING WIRING STRUCTURE						USA
Patent No. 6759322 Issue Date: 7/6/2004		Remarks: PER CLT'S REQ RECD VIA FAX 9/16/04 -- 10/05/04 CLT FAX W/INSTR TO REQ CORR OF IDS						
12-Nov-2004	RESPONSE DUE	12-Aug-2004	060188-0508	060188-0357	US	10/335,924	03-Jan-2003	MEF
Due Date	Status: Published	US-3 Month Office Action		MAEDA PATENT OFFICE (MATSUSHITA)				AHC
					United States of America			
		Title: SEMICONDUCTOR LIGHT-EMITTING DEVICE WITH QUANTUM WELL						
		Remarks: 3-MO OA DTD 8/12/04 RECD 8/16/04 -- REPORTED TO CLT 8/19/04 -- FAX DTD 8/20/04 FROM CLT REQ'NG C&A ON OA BY 9/10/04 RECV'D 8/20/04 -- PER AHC DKT 9/10/04 C&A FORWARD TO CLT VIA FAX 8/27/04; CLT'S INSTRCS TO FORWARD ADVICE RE: OVERCOMING REJECTION TO YAMADA BY 10/29/04 PER FAX RECD 10/19/04 -- C&A SENT TO CLT VIA FAX 10/29/04 PER DKT						
12-Nov-2004	REQ FOR RE-EXAM PREPARED?	05-Dec-2004	060188-0560	060188-0999	US			MEF
Reminder	Status: Unfiled	FILE REQ. FOR RE-REXAM		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
					United States of America			
		Title: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD OF THE SAME						
		Remarks: PER CLT'S REQ RECD VIA FAX 10/5/04						
12-Nov-2004	RESTRICTION REQUIREMENT DUE	12-Oct-2004	060188-0646	060188-0646	US	10/656,199	08-Sep-2003	MEF
Due Date	Status: Published	US-Restriction (1 Month)		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
					United States of America			
		Title: SEMICONDUCTOR DEVICE						
		Remarks: -- 1 MO OA (RESTRICT REQUIRE) DTD 10/12/14/04 RECD 10/15/04 -- 11/05/04 CLT FAX W/INSTR TO FILE RESP AND PRELIM AMEND						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	NEW CASE DUE (PRIORITY)	12-Nov-2003	061282-0099	061282-0099	US			MEF
Final	Status: Unfiled	US-Priority Filing		NGB CORPORATION (MATSUSHIT				MEF
				United States of America				
		Title: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE						APP
		Remarks: APPLN DOC'S RECD VIA FAX 11/10/04, ORIG DOC'S RECD? ORIG DOCS BEING FORWARDED PER FAX RECD 11/11/04 -- ORIG DOCS RECD VIA FEDEX 11/11/04						
12-Nov-2004	RESTRICTION REQUIREMENT DUE	12-Oct-2004	061352-0020	061352-0020	US	10/107,535	28-Mar-2002	MEF
Due Date	Status: Published	US-Restriction (1 Month)		ARCO PATENT OFFICE (MATSUSHITA ELECTRIC INDUSTR				MEF
				United States of America				
		Title: LIQUID CRYSTAL DISPLAY						
		Remarks: 1MO OA DTD 10/12/04 RECD 10/14/04; INSTRCS TO RESPOND BY 11/12/04 PER FAX RECD 11/10/04						
12-Nov-2004	ANNUITY DUE - GRACE	11-Sep-2004	063288-0019	063288-0113	DE	19882685.0	11-Sep-1998	KEG
Final	Status: Pending	ANNUITY		BELL & HOWELL COMPANY				DT
				Germany				
		Title: Apparatus and Method for Inverting, Staging and Diverting Sheet Articles						FOR
12-Nov-2004	FILE PROVISIONAL	12-Nov-2004	063288-0642	063288-0642	US			KEG
Due Date	Status: Unfiled	FILE PROVISIONAL		BELL & HOWELL COMPANY				DT
				United States of America				
		Title: DATA CONTROLLED MAIL COLLATION SYSTEM						APP
		Remarks: PER E-MAIL RECD ON 11/9/04 FROM D.TENNANT						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	FILE APPLICATION	05-Oct-2004	063288-0661	063288-0661	US			KEG
Due Date		FILE APPLICATION		BELL & HOWELL COMPANY				DT
	Status: Unfiled				United States of America			
		Title: OVER-THE-RACEWAY DIVERT						
		Remarks: Please docket new utility app for Dave Tennant. Docket monthly reminders with a 6-month due date. Please also docket for a two-week due date entitled "Client forward DOI to MWE?" (PER L. FROEHLING 04/05/04 EMAIL)						
12-Nov-2004	FILE NEW APPLN TODAY PER CLT	14-Nov-2003	064484-0018	064484-0018	US			SAB
Due Date		US-Priority Filing		SHIMADA PATENT FIRM				SAB
	Status: Unfiled				United States of America			
		Title: IMAGE PROCESSING FOR TRAPPING IN COLOR PRINTING						APP
		Remarks: ADVANCE FAX LTR DTD 11/5/04 FROM CLT RE NEW APPLN TO BE FILED BY 11/12/04 RECV'D 11/5/04; ORIG APPLN DOC'S RECV'D 11/8/04 VIA COURIER						
12-Nov-2004	RESTRICTION REQUIREMENT 2 WKS	26-Oct-2004	065933-0011	065933-0011	US	10/290,463	08-Nov-2002	AJS
Reminder		US-Restriction (1 Month)		PRIMEWORKS				AJS
	Status: Published				United States of America			
		Title: DISPLAY APPARATUS WITH FUNCTION FOR INITIALIZING LUMINANCE DATA OF OPTICAL ELEMENT						
		Remarks: 1-MO OA DTD 10/26/04						
12-Nov-2004	FILE CORRECTED F/R	12-Oct-2004	065933-0077	065933-0077	US	10/804,199	19-Mar-2004	AJS
Reminder		FILE CORRECTED F/R		PRIMEWORKS				AJS
	Status: Pending				United States of America			
		Title: METHOD, PROGRAM, STORAGE MEDIUM, SERVER AND IMAGE FILTER FOR DISPLAYING A THREE-DIMENSIONAL IMAGE						APP
		Remarks: CLT REQ 3RD INVENTOR NAME BE CORRECTED VIA FAX 10/12/04						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	MISSING PARTS 2 EXT	12-Jul-2004	066396-0036	066396-0121	US	10/840,431	07-May-2004	SAB
Due Date		US-Missing Parts 2 Months		SNAP-ON TECHNOLOGIES, INC.				KEG
	Status: Pending				United States of America			
		Title: CAMERA TECHNIQUE FOR ADAPTIVE CRUISE CONTROL (ACC) SENSOR ADJUSTMENT						APP
		Remarks: NOMP DTD 7/12/04 RECD 7/14/04 -- EXECD ASSIGN & POA RECD 9/3/04						
12-Nov-2004	FILE CONT APPLN OF 57454-506	12-Nov-2004	067161-0233	067161-0233	US			SAB
Due Date		FILE CONT APPLN OF 57454-506		FUKAMI PATENT OFFICE (RENESAS)				SAB
	Status: Unfiled				United States of America			
		Title: THIN-FILM MAGNETIC MEMORY DEVICE EXECUTING DATA WRITING WITH DATA WRITE MAGNETIC FIELDS IN TWO DIRECTIONS						APP
		Remarks: ,,, PER CLT'S INSTRCS RECD 11/4/04						
12-Nov-2004	Foreign Filing Due 2 Months	12-Jan-2004	067171-0011	067171-0011A	US	10/754,640	12-Jan-2004	PD
Reminder		Foreign Filing		STEVEN A. JACKSON AND VICTOR S. MANGANARO				DT
	Status: Pending				United States of America			
		Title: PHONE ADAPTOR						
12-Nov-2004	EXEC ACCOMPANYING LTR DUE 1WK	19-Nov-2004	069464-0067	069464-0099	WO	IB04/03006	26-Aug-2004	KLC
Reminder		EXEC ACCOMPANYING LTR DUE		TANITA - JAPAN (DIRECT)				MAM
	Status: Pending				Patent Cooperation Treaty			
		Title: BODY COMPOSITION ANALYZER						FOR
		Remarks: PCT COMM DTD 10/19/04 RECD 11/04/04; RE: ACCOMPANYING LTR EXEC BY APPLICANT OR AGENT MISSING FROM REPLACEMENT SHEET FILED 10/15/04 (DUE IN 1MO)						

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From 12-Nov-2004 **To** 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	Foreign Filing Deadline	12-Nov-2003	069464-0071	069464-0071	US	60/518,65[redacted]	2-Nov-2003	KLC
Final		Foreign Filing		TANITA - JAPAN (DIRECT)				MAM
	Status: Pending				United States of Ame[redacted]			
		Title: WHEELCHAIR SCALE						
		Remarks: REMINDER LETTER SENT TO CLT 5/24/04						
12-Nov-2004	REVISED INV SENT TO CLT?	05-Nov-2004	070456-0021	070456-0021	US	10/489,335	12-Mar-2004	SAB
Reminder		REVISED INV SENT TO CLT?		FUKAMI PATENT OFFICE				SAB
	Status: Pending				United States of America			
		Title: RECORDING MEDIUM, REPRODUCTION APPARATUS, AND RECORDING AND REPRODUCTION APPARATUS						APP
		Remarks: PER CLT'S REQ RECD VIA FAX 10/29/04						
12-Nov-2004	FILE DIV APPLN OF 60188-343	29-Oct-2004	071971-0012	071971-0012	US			MEF
Due Date		FILE DIV APPLN OF 60188-343		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
	Status: Unfiled				United States of America			
		Title: SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME						APP
		Remarks: ,,, PER CLT'S INSTRCS RECD 10/7/04 -- CLT REQ TO RESEND 3 PAGES LTR VIA FAX 10/12/04						
12-Nov-2004	NEW CASE DUE (PRIORITY)	12-Nov-2003	071971-0041	071971-0041	US			MEF
Final		US-Priority Filing		MAEDA PATENT OFFICE (MATSUSHITA)				MEF
	Status: Unfiled				United States of America			
		Title: METHOD FOR FABRICATING SEMICONDUCTOR DEVICE						APP
		Remarks: L/D TO FILE APP 11/12/04 PER ORDER LTR RECD 11/5/04; ORIG DOCS REC[redacted] 11/8/04 VIA COURIER; EXECUTED DEC/POA & ASSIGNM RECD VIA FAX [redacted]						

Patent Due Date List By Date

From 12-Nov-2004 To 14-Nov-2004

Master

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	RESEND RESP INSTR TO F.A.	10-Nov-2004	036080-0037	036080-0050	CA	2446539	24-May-2002	LTC
Reminder	**Status:** Pending	RESPONSE DUE		LEARNING TREE INTERNATIONAL				LTC
					Canada			
		Title: SYSTEM AND METHOD FOR ELECTRONIC PRESENTATIONS						
		Remarks: -- REQUISITIONS DTD 5/10/04 RECD 6/1/04 -- COPY OF IPER SENT TO F/A 9/9/04; ACK RECEIPT RECD VIA FAX 9/16/04 -- LTR DTD 9/20/04 FROM F.A. REPORTING MISSING 1 PG OF IPER & REMIND DUE DT FOR RESP RECV'D 9/27/04; RESP SENT PER DOCKET 10/8/04 -- FAX LTR DTD 11/3/04 FROM F.A. REMIND DUE DT (11/10/04) FOR RESP & REQ'NG OUR INSTR RECV'D 11/3/04					
12-Nov-2004	FILE CONT APPLN OF 43890-590	12-Oct-2004	043890-0336	043890-0701	US			MEF
Due Date	**Status:** Unfiled	FILE CONT APPLN OF 43890-590		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				AHC
					United States of America			
		Title: LIGHT-EMITTING DEVICE COMPRISING A GALLIUM-NITRIDE-GROUP COMPOUND-SEMICONDUCTOR						APP
		Remarks: ,,, PER CLT'S INSTRCS RECD 10/4/04						
12-Nov-2004	APPEAL/RESPONSE DUE	12-Aug-2004	043890-0401	043890-0401	US	09/493,677	28-Jan-2000	MEF
Due Date	**Status:** Pending	US-Final Office Action		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				LTC
					United States of America			
		Title: HEATSINK, METHOD OF MANUFACTURING THE SAME AND COOLING APPARATUS USING THE SAME						
		Remarks: -- FINAL OA DTD 8/12/04 RECD 8/16/04 -- 10/22/04 CLT FAX W/RESP INSTR						
12-Nov-2004	FILE DIV APPLN OF 43890-560	29-Oct-2004	043890-0560	043890-0702	US			MEF
Due Date	**Status:** Unfiled	FILE DIV APPLN OF 43890-560		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				AHC
					United States of America			
		Title: METHOD AND SYSTEM OF DRYING MATERIALS AND METHOD OF MANUFACTURING CIRCUIT BOARDS USING THE SAME						APP

Patent Due Date List By Date

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	FORWARD DRAFT RESP	06-Oct-2004	043890-0607	043890-0607	US	10/408,668	08-Apr-2003	MEF
Due Date		US-Drft Resp Matsushit/Minolta		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				RMF
	Status: Published				United States of America			
	Title: SHEET HEATER							
	Remarks: FOA DTD 10/6/04							
12-Nov-2004	RESPONSE DUE	12-Aug-2004	043890-0665	043890-0665	US	10/485,559	03-Feb-2004	MEF
Due Date		US-3 Month Office Action		MATSUSHITA ELECTRIC INDUSTRIAL (DIRECT)				RMF
	Status: Pending				United States of America			
	Title: CARD READER							
	Remarks: OA DTD 8/12/04 -- DRAFT FAXED TO CLT 08/25/04 -- COMMENTS ON DRAFT VIA FAX 10/27/04							
12-Nov-2004	FORWARD DRAFT RESP 3 WKS	05-Nov-2004	044084-0472	044084-0472	US	09/654,496	01-Sep-2000	EJW
Reminder		US-Drft Resp Matsushit/Minolta		KONICA MINOLTA CO., LTD. (Direct)				EJW
	Status: Pending				United States of America			
	Title: CAMERA HAVING A PRINTER							
	Remarks: FOA DTD 11/5/04							
12-Nov-2004	DESIGN APPLN FILED?	12-Nov-2004	044210-0369	044210-0369	US			MAM
Reminder		DESIGN APPLN FILED?		AMERICAN SAFETY RAZOR COMPANY				MAM
	Status: Unfiled				United States of America			
	Title: RAZOR HANDLE							

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004 Final	NEW CASE DUE (PRIORITY) **Status:** Unfiled	12-Nov-2003 US-Priority Filing	049677-0161	049677-0161 NGB CORPORATION	US United States of America			SAB SAB
				Title: HEAT TREATMENT APPARATUS AND HEAT TREATMENT [redacted] FOR REINFORCING MEMBER OF OPTICAL FIBER, AND OPTICAL FIBER FUSION SPLICE APPARATUS				APP
				Remarks: APPLN DOC'S RECD VIA FAX 11/10/04, ORIG DOC'S RECD?; ORIG DOCS BEING FORWARDED PER FAX RECD 11/11/04 -- ORIG DOCS RECD VIA FEDEX 11/11/04				
12-Nov-2004 Reminder	FRWD CONFIRM OF RECPT OF DOCS **Status:** Pending	02-Aug-2004 US-Missing Parts 2 Months	050021-0025	050021-0025 FREEHILLS CARTER SMITH & BEADLE	US United States of America	10/491,650	04-Oct-2004	SAB SAB
				Title: CATALYTIC SYSTEMS AND PROCESS FOR TREATMENT OF INDUSTRIAL PROCESS AND WASTE STREAMS				APP
				Remarks: NOTIF OF MISSING REQ'MTS DTD 8/2/04 RECV'D 8/4/04; EXEC DOCS SENT VIA COURIER PER E-MAIL DTD 9/13/04 -- EXECD DECL/POA & ASSIGNM RECD VIA FAX 10/4/04 -- RESP TO NTFMR (DECL/POA) W/IDS F. 10/04/04 $0 -- ASSIGN F. 10/04/04 $40 -- REPORTED TO CLT 10/4/04 -- FAX LTR DTD 11/5/04 FROM CLT REQ'NG CONFIRM OF RECPT OF EXEC'D DOC'S RECV'D 11/5/04				
12-Nov-2004 Due Date	RESTRICTION REQUIREMENT DUE **Status:** Pending	13-Oct-2004 US-Restriction (30 days)	050024-0019	050024-0019 FUKUSHIMA PATENT OFFICE (SANYO)	US United States of America	10/668,609	24-Sep-2003	AJS AJS
				Title: ORGANIC ELECTROLUMINESCENT DEVICE AND METHOD OF FABRICATING THE SAME				
				Remarks: 30-DAY OA DTD 10/13/04 -- CLT ACK'L LTR 10/19/04 VIA FAX 10/20/04				

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	3.5 Maintenance Fee 1 Month	12-Jun-2001	050032-0120	050032-0120	US	08/886,976	03-Jul-1997	SAB
Reminder	Status: Granted	3.5 Maintenance Fee		HIRATA & PARTNERS	United States of America			SAB
			Title: LEAD FRAME					USA
	Patent No. 6246106 Issue Date: 6/12/2001							
12-Nov-2004	3.5 Maintenance Fee 1 Month	12-Jun-2001	050064-0011	050064-0023	US	08/856,699	15-May-1997	SAB
Reminder	Status: Granted	3.5 Maintenance Fee		MIDORI INTERNATIONAL CORP.	United States of America			BPC
			Title: OXIDE SUPERCONDUCTIVE WIRE AND PROCESS FOR MANUFACTURING THE SAME					USA
	Patent No. 6246007 Issue Date: 6/12/2001							
12-Nov-2004	FILE DIV OF 50073-055	05-Nov-2004	050073-0055	050073-0071	US			SAB
Due Date	Status: Unfiled	FILE DIV OF 50073-055		PALMO INTERNATIONAL PATENT FIRM	United States of America			DT
			Title: TFT ARRAY SUBSTRATE AND LIQUID CRYSTAL DEVICE USING THE SAME					APP
			Remarks: PER CL'TS REQ RECD VIA FAX 10/22/04					
12-Nov-2004	APPEAL/RESPONSE DUE	12-Aug-2004	050090-0332	050090-0332	US	09/927,368	13-Aug-2001	SAB
Due Date	Status: Published	US-Final Office Action		TAKADA, TAKAHASHI & PARTNERS	United States of America			AVY
			Title: APPARATUS AND METHOD FOR TESTING SEMICONDUCTOR INTEGRATED CIRCUIT					
			Remarks: FINAL OA DTD 08/12/04 RECD 08/16/04 -- VIA FAX 9/22/04CLT INSTR TO FILE TERMIAL DISCLAIMER, ASSIGNEE IS RENESAS TECHNOLOGY CORP & RENESAS SEMICONDUCTOR ENGINEERING CORP; CLT'S INQUIRY RE: DOCUMENTATION NEEDED FOR CHG OF NAME RECD 11/8/04					

Patent Due Date List By Date

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	Information Disclosure Stmnt	21-May-2004	050103-0558	050103-0558	US	10/84	21-May-2004	JAH
Due Date		Information Disclosure Stmnt		SEAGATE TECHNOLOGY				JAH
	Status: Pending				United States of			
				Title: PRO APP: OPTIMIZED PROACTIVE DYNAMIC CO			STEM III	APP
				US APP: METHOD AND APPARATUS FOR COOLIN			AR WORKPIECE IN AN	
				EVACUATED ENVIRONMENT WITH DYNAMICALLY MOVEABLE HEAT SINKS				
12-Nov-2004	DRAFT APPLICATION TO CLT	29-Sep-2004	050103-0614	050103-0614	US			JAH
Reminder		DRAFT APPLICATION TO CLT		SEAGATE TECHNOLOGY				AW
	Status: Unfiled				United States of America			
				Title: GRANULAR PERPENDICULAR MEDIA DESIGN WITH DUAL MAGNETIC LAYER				
				Remarks: E-MAIL DTD 8/30/04 FROM CLT ENCLOS INVENTION DISCLOSURE FOR PREPARATION OF PAT APPLN; FRWD BY I. WILLIAMS 8/31/04				
12-Nov-2004	3.5 Maintenance Fee 1 Month	12-Jun-2001	050108-0018	050108-0018	US	09/217,247	21-Dec-1998	KEG
Reminder		3.5 Maintenance Fee		CELLCO PARTNERSHIP D.B.A. VERIZON WIRELESS				DT
	Status: Granted				United States of America			
				Title: SYSTEM AND METHODS FOR CONTROLLING ACCESS TO DIGITAL WIRELESS NETWORK IN A DUAL MODE WIRELESS SYSTEM				USA
	Patent No. 6246886 Issue Date: 6/12/2001							
12-Nov-2004	Foreign Filing Deadline	12-Nov-2003	050108-0082	050108-0082	US	10/704,698	12-Nov-2003	KEG
Final		Foreign Filing		CELLCO PARTNERSHIP [redacted] RIZON WIRELESS				KEG
	Status: Pending				United States [redacted]			
				Title: POSITION LOCATION SMDPP MESSAGE RETRY [redacted] NISM				

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	7.5 Maintenance Fee Grace	12-Nov-1996	050162-0013	050162-0013	US	08/315,329	29-Sep-1994	JLT
Final	Status: Granted	7.5 Maintenance Fee		BERESKIN & [redacted]	United States of America			JLT
				Title: NOVEL PROCESS FOR THE PREPARA[redacted]CEPHALOSPORANIC COMPOUNDS				USA
Patent No. 5574154 Issue Date: 11/12/1996				Remarks: CLT REQ INFO ON COSTS INVOLVING PAYMENT OF MAIN FEES PER FAX RECD 2/25/04 --FAX DTD 3/25/04 FROM CLT REQ'NG COST FOR 7.5YR MF RECV'D 3/26/04 -- MAINT FEE REMDR RECD 6/22/04				
12-Nov-2004	FILE IDS	12-Nov-2004	050212-0396	050212-0396	US	10/162,596	06-Jun-2002	AJS
Due Date	Status: Published	FILE IDS		SOEI INTERNATIONAL PATENT FIRM	United States of America			AJS
				Title: RAMAN AMPLIFIER, RAMAN AMPLIFIER CONTROL METHOD AND OPTICAL COMMUNICATION SYSTEM				APP
				Remarks: 10/12/04 ADV FAX W/INSTR TO FILE IDS -- IDS MATERIALS RECD 10/14/04 -- FEDEX 11/8/04 IDS MATERIALS				
12-Nov-2004	RESTRICTION REQUIREMENT 2 WKS	26-Oct-2004	050229-0251	050229-0382	US	10/638,464	12-Aug-2003	JLT
Reminder	Status: Pending	US-Restriction (1 Month)		UNIVERSITY OF KENTUCKY RESEARCH FOUNDATION	United States of America			KNW
				Title: PATHOGEN-INDUCED PROMOTERS				
				Remarks: 1MO RESTRICTIVE OA DTD 10/26/04 RECV'D 10/28/04				

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	ARTICLE 19 AMENDMENT 1 MTH	12-Oct-2004	050229-0324	050229-0411	WO	US03/29536	24-Sep-2003	JLT
Reminder		PCT Search Report (Article 19)		UNIVERSITY OF KENTUCKY RESEARCH FOUNDATION				JLT
	Status: Published				Patent Cooperation Treaty			
		Title: EFFECTS OF CO-ADMINISTRATION OF ADJUVANTS WITH A NANOPARTICLE-BASED GENETIC VACCINE DELIVERY SYSTEM ON THE RESULTING IMMUNE RESPONSES US APPLN: NANOPARTICLE-BASED VACCINE DELIVERY SYSTEM CONTAINING ADJUVANT						FOR
		Remarks: NOTIF OF ISR DTD 10/12/04 RECD 10/14/04						
12-Nov-2004	FILE IDS	22-Oct-2004	050353-0610	050353-0610	US	10/336,802	06-Jan-2003	JAH
Reminder		FILE SUPPL AMEND PER CLT		ISP CORPORATION				JAH
	Status: Published				United States of America			
		Title: DRIVING ASSIST SYSTEM AND METHOD WITH ACCELERATOR PEDAL REACTION FORCE CONTROL						
		Remarks: FAX LTR DTD 10/8/04 FROM CLT W/INSTR TO FILE PRELIM AMEND RE REF IN IDS FILED IN 61355-060, 061 & 064 & THEIR FUTURE APPLN FP041444US (NOT YET RECV'D) RECV'D 10/8/04 [NOTE: RCE F. 4/14/04]						
12-Nov-2004	3.5 Maintenance Fee 1 Month	12-Jun-2001	050388-0026	050388-0026	US	09/486,824	09-May-2000	AJS
Reminder		3.5 Maintenance Fee		KAMADA PATENT OFFICE				AJS
	Status: Granted				United States of America			
		Title: INTERNAL GEAR PUMP						USA
	Patent No. 6244843 **Issue Date:** 6/12/2001							

From 12-Nov-2004 **To** 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	FRWD COPIES OF CITED REF'S	20-Oct-2004	050427-0742	050427-0742	US	09/908,609	20-Jul-2001	EJW
Reminder	**Status:** Published	US-3 Month Office Action		PATENT DEVELOPMENT INTERNATIONAL, INC.				EJW
				United States of America				
		Title: DIALOG CONTROL METHOD AND APARATUS FOR CONTROLLING DIALOG						
		Remarks: 3 MO OA DTD 10/20/04 RECD 10/22/04 -- 2ND COPY OF 3MO OA DTD 10/20/04 RECV'D 11/2/04 -- FAX LTR DTD 11/5/04 FROM CLT REQ'NG HARD COPIES OF CITED REF'S ASAP RECV'D 11/5/04						
12-Nov-2004	FILE APPLN	28-Oct-2001	050432-0476	050432-0476	US			JAH
Due Date	**Status:** Unfiled	DRAFT APPLICATION		ADVANCED MICRO DEVICES, INC.				SDP
				United States of America				
		Title: ELECTRON BEAM CARE OF PHOTORESIST FOR FEATURE EDGE ENGINEERING INCLUDING SHALLOW TRENCH ISOLATION CORNER						
		Remarks: PRIORITY "B"						
12-Nov-2004	FILE APPLN	03-Dec-2003	050432-0659	050432-0659	US			JAH
Reminder	**Status:** Unfiled	DRAFT APPLICATION DUE		ADVANCED MICRO DEVICES, INC.				JAH
				United States of America				
		Title: METHOD TO OBTAIN TUNABLE CHANNEL THICKNESS USING SELECTIVE EPITAXIAL						
		Remarks: PRIORITY CODE "B" -- DRAFT SENT TO CLT PER I.WILLIAMS E-MAIL DTD 3/1/04 -- EXECD FORMAL DOCS & DRWGNS RECD VIA FEDEX 9/27/04						
12-Nov-2004	Information Disclosure Stmnt	12-Jul-2004	050432-0668	050432-0668	US	10/887,836	12-Jul-2004	JAH
Due Date	**Status:** Pending	Information Disclosure Stmnt		ADVANCED MICRO DEVICES, INC.				AJS
				United States of America				
		Title: IN-SITU ILD SACVD PROCESSING (NITRIDE LINER AND 03/TEDS GAP-FILL)						

From 12-Nov-2004 To 14-Nov-2004

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Family	Client -Matter (APP)	Country	Application Number	Filing Date	Resp. Atty/ Assign Atty/ Paralegal/
12-Nov-2004	RESPONSE DUE 1 EXT	12-Jul-2004	050464-0017	050464-0017	US	09/688,361	12-Oct-2000	SAB
Due Date	**Status:** Pending	US-3 Month Office Action		KAJIHARA PATENT OFFICE				SDP
					United States of America			
		Title: METHOD FOR EVALUATION OF ADVERTISING EFFECTIVENESS, DEVICE FOR EFFECTING THE METHOD, AND RECORDING MEDIUM STORING A PROGRAM OF THE METHOD						
		Remarks: 3 MO OA DTE 7/12/04 RECV'D 8/6/04 FROM NIXON & VANDERHYE; OA W/O C&A SENT TO CLT 8/17/04; CLT'S INSTRCS TO OBTAIN 1-MO EOT PER FAX RECD 9/30/04						
12-Nov-2004	Foreign Filing Due 1 Month	12-Dec-2003	050943-0023	050943-0023	US	10/733,369	12-Dec-2003	JAH
Reminder	**Status:** Pending	Foreign Filing		NISSAN TECHNICAL CENTER NORTH AMERICA				BPC
					United States of America			
		Title: STARTUP COMBUSTOR						
		Remarks: FOREIGN FILING LTR SENT TO CLT 10/12/04						
12-Nov-2004	REINSTATM'T OF APP DUE 1WK	19-Nov-2003	051752-0013	051752-0031	CA	2351406	19-Nov-1999	MAM
Reminder	**Status:** Abandoned	ANNUITY		DATIG, WILLIAM E.				MAM
					Canada			
		Title: UNIVERSAL EPISTEMOLOGICAL MACHINE (A.K.A. ANDROID) -013 UNIVERSAL TRANSLATION SYSTEM AND METHODOLOGY -011						
		Remarks: FAX LTR DTR 11/11/03 FROM F.A. REQ'NG INSTR RE PYMT OF '03 ANNUITY RECV'D 11/12/03 -- LTR DTD 1/21/04 FROM F.A. ENCLOS NOT OF ABAND DUE TO NON-PYMT OF ANNUITY RECV'D 1/27/04 -- LTR DTD 9/28/04 FROM F.A. REMIND DUE DT OF FILING REQ FOR REINSTMT DUE 11/19/04 RECV'D 10/11/04; CLT ON HOLD PER DOCKET 10/19/04						

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,004	09/21/1999	HENGYUAN LANG	P-HP-3589	4060

7590 07/28/2005

LAW OFFICE OF DAVID SPOLTER
1590 COAST WALK
LA JOLLA, CA 92037

EXAMINER	
EPPERSON, JON D	
ART UNIT	PAPER NUMBER
1639	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment	Application No.	Applicant(s)	
	09/401,004	LANG ET AL.	
	Examiner	Art Unit	
	Jon D. Epperson	1639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on *21 July 2004*.
   (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
   (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
   (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
   (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
   (d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
   (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
   (b) ☐ The submitted fee of $_____ is insufficient. A balance of $_____ is due.
   The issue fee required by 37 CFR 1.18 is $_____. The publication fee, if required by 37 CFR 1.18(d), is $_____.
   (c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
   (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
   (b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

Please see attached Interview Summary

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Interview Summary	Application No.	Applicant(s)	
	09/401,004	LANG ET AL.	
	Examiner	Art Unit	
	Jon D. Epperson	1639	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Jon D. Epperson*. (3)____.

(2) *Cameron Weiffenbach*. (4)____.

Date of Interview: *7/20/05*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: ____.

Claim(s) discussed: *N/A*.

Identification of prior art discussed: *N/A*.

Agreement with respect to the claims f)☐ was reached. g)☐ was not reached. h)☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicants stated that no response had been filed to the 7/21/04 non-reponsive amendment. Therefore, the case is abandoned.*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Docket No.: 053904-0105 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
LANG, et al.	:	Confirmation Number: 4060
Application No.: 09/401,004	:	Group Art Unit: 1639
Filed: September 21, 1999	:	Examiner: Jon D. Epperson

For: BENZIMIDAZOLE DERIVATIVES AND COMBINATORIAL LIBRARIES THEREOF

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT AND SUPPLEMENTAL AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to a Notice of Non-Responsive Amendment dated October 12, 2004. The above-referenced patent application has been amended as set forth below.

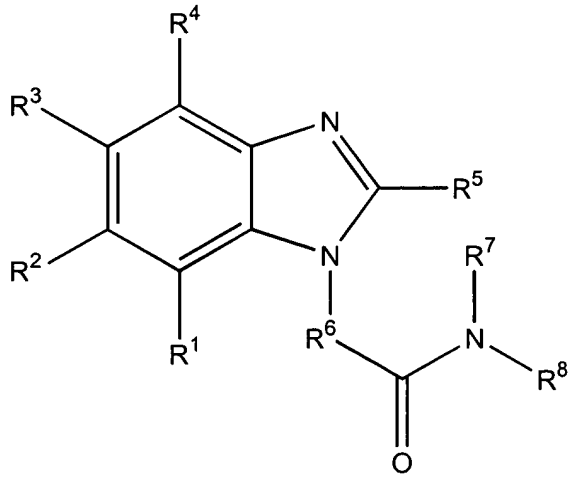
Please amend claims 51 and 57 as set forth in the "Amendments to the Claims" on pages 20 and 25 of this response. Also, the claims as originally presented included two claims assigned number 63. The second appearing claim 63 and claims 64 to claim 70 have been renumbered as claims 64-71. The claims as renumbered appear in the "Amendments to the Claims" on pages 29 to 32 of this response.

AMENDMENT TO THE CLAIMS

A listing of the claims presented in this patent application appears below. This listing replaces all prior versions and listing of claims in this patent application.

Claims 1-40 (canceled).

Claim 41 (previously presented): A single compound of the formula:



wherein:

R^1, R^2, R^3 and R^4 are, independently, selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected

amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^5 is selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, carboxy, protected carboxy, cyano, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_1 to C_{12} alkoxycarbonyl, C_1 to C_{12} substituted alkoxycarbonyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl;

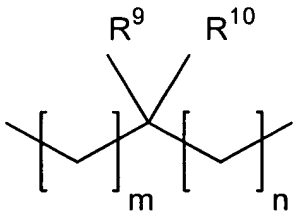
R^6 is the formula:

-D-W-E-

wherein:

W is selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, arylene, substituted arylene, heterocyclene, substituted heterocyclene, heteroarylene and substituted heteroarylene; and

D, which is directly attached to the nitrogen depicted in the formula, and E, which can be absent, are independently selected from the group consisting of C_1 to C_{12} alkylene, C_2 to C_{12} alkenylene, C_2 to C_{12} alkynylene, C_1 to C_{12} substituted alkylene, C_2 to C_{12} substituted alkenylene, C_2 to C_{12} substituted alkynylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, C_7 to C_{18} phenylalkylene, C_7 to C_{18} substituted phenylalkylene, C_1 to C_{12} heterocycloalkylene and C_1 to C_{12} substituted heterocycloalkylene, -NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, a heterocyclic ring, substituted heterocyclic ring, heteroaryl, substituted heteroaryl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, C_7 to C_{18} phenylalkoxy, C_7 to C_{18} substituted phenylalkoxy, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7

heteroalkylene, carboxy, protected carboxy, hydroxymethyl and protected hydroxymethyl; and m and n are, independently, 0, 1, 2, 3 or 4; and

R^7 and R^8 are, independently, selected from the group consisting of a functionalized resin, a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, [[and]] C_1 to C_{12} substituted heterocycloalkyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl, substituted phenylaminocarbonyl, C_1 to C_{12} alkylaminothiocarbonyl, C_1 to C_{12} substituted alkylaminothiocarbonyl, phenylaminothiocarbonyl and substituted phenylaminothiocarbonyl;

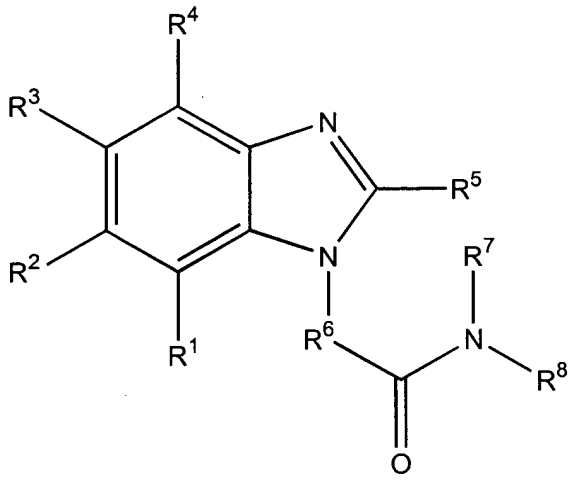
provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula $-C(O)NR^{11}R^{12}$; or

provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula $-C(O)R^{11}$, wherein R^{11} is a heterocyclic ring or substituted heterocyclic ring, wherein said ring contains at least one nitrogen atom and wherein said nitrogen atom is attached to the carbonyl carbon; or

a pharmaceutically acceptable salt of a compound thereof;

with the proviso that when $R^7$and R^8 are hydrogen or $-CH_2CH_3$, substituents R^1, R^2, R^3 and R^4 cannot be hydrogen.

Claim 42 (previously presented): A single compound of the formula:



wherein:

R^1, R^2 and R^4 are, independently, selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$,

wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^3 is selected from the group consisting of hydroxy, protected hydroxy, cyano, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl,

heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^5 is selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, carboxy, protected carboxy, cyano, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_1 to C_{12} alkoxycarbonyl, C_1 to C_{12} substituted alkoxycarbonyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl;

R^6 is the formula:

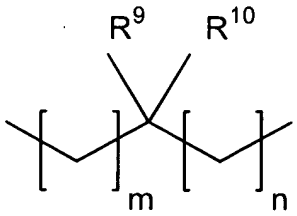
-D-W-E-

wherein:

zero, one or two of D, W and E can be absent;

W, if present, is selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, arylene, substituted arylene, heterocyclene, substituted heterocyclene, heteroarylene and substituted heteroarylene; and

D, which is directly attached to the nitrogen depicted in the formula, if present and E, if present, are independently selected from the group consisting of C_1 to C_{12} alkylene, C_2 to C_{12} alkenylene, C_2 to C_{12} alkynylene, C_1 to C_{12} substituted alkylene, C_2 to C_{12} substituted alkenylene, C_2 to C_{12} substituted alkynylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, C_7 to C_{18} phenylalkylene, C_7 to C_{18} substituted phenylalkylene, C_1 to C_{12} heterocycloalkylene and C_1 to C_{12} substituted heterocycloalkylene, –NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, a heterocyclic ring, substituted heterocyclic ring, heteroaryl, substituted heteroaryl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, C_7 to C_{18} phenylalkoxy, C_7 to C_{18} substituted phenylalkoxy, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl and protected hydroxymethyl; and m and n are, independently, 0, 1, 2, 3 or 4; and

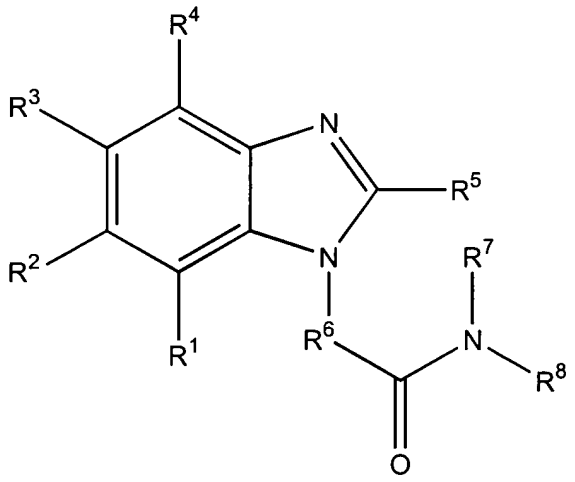
R^7 and R^8 are, independently, selected from the group consisting of a functionalized resin, a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, [[and]] C_1 to C_{12} substituted heterocycloalkyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl, substituted phenylaminocarbonyl, C_1 to C_{12} alkylaminothiocarbonyl, C_1 to C_{12} substituted alkylaminothiocarbonyl, phenylaminothiocarbonyl and substituted phenylaminothiocarbonyl; or

a pharmaceutically acceptable salt of a compound thereof;

with the proviso that when $R^7$and R^8 are hydrogen or $-CH_2CH_3$, substituents R^1, R^2, R^3 and R^4 cannot be hydrogen.

Claim 43 (canceled).

Claim 44 (previously amended): A single compound of the formula:



wherein:

R^1, R^2, R^3 and R^4 are, independently, selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to

C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^5 is selected from the group consisting of phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, carboxy, protected carboxy, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{12} substituted acyl, C_1 to C_{12} alkoxycarbonyl, C_1 to C_{12} substituted alkoxycarbonyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl;

R^6 is the formula:

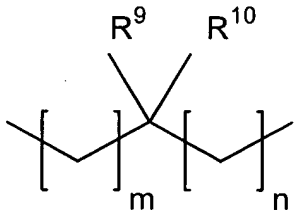
-D-W-E-

wherein:

zero, one or two of D, W, and E can be absent;

W, if present, is selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, arylene, substituted arylene, heterocyclene, substituted heterocyclene, heteroarylene and substituted heteroarylene; and

D, which is directly attached to the nitrogen depicted in the formula, if present, and E, if present, are independently selected from the group consisting of C_1 to C_{12} alkylene, C_2 to C_{12} alkenylene, C_2 to C_{12} alkynylene, C_1 to C_{12} substituted alkylene, C_2 to C_{12} substituted alkenylene, C_2 to C_{12} substituted alkynylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, C_7 to C_{18} phenylalkylene, C_7 to C_{18} substituted phenylalkylene, C_1 to C_{12} heterocycloalkylene and C_1 to C_{12} substituted heterocycloalkylene, -NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, a heterocyclic ring, substituted heterocyclic ring, heteroaryl, substituted heteroaryl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, C_7 to C_{18} phenylalkoxy, C_7 to C_{18} substituted phenylalkoxy, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7

heteroalkylene, carboxy, protected carboxy, hydroxymethyl and protected hydroxymethyl; and m and n are, independently, 0, 1, 2, 3 or 4; and

R^7 and R^8 are, independently, selected from the group consisting of a functionalized resin, a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, [[and]] C_1 to C_{12} substituted heterocycloalkyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl, substituted phenylaminocarbonyl, C_1 to C_{12} alkylaminothiocarbonyl, C_1 to C_{12} substituted alkylaminothiocarbonyl, phenylaminothiocarbonyl and substituted phenylaminothiocarbonyl; or

a pharmaceutically acceptable salt of a compound thereof;

with the proviso that when $R^7$and R^8 are hydrogen or $-CH_2CH_3$, substituents R^1, R^2, R^3 and R^4 cannot be hydrogen.

Claim 45 (canceled).

Claim 46 (previously added): The single compound of claim 44, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)NR^{11}R^{12}$, wherein R^{11} is selected from the group consisting of a hydrogen atom, methyl, ethyl and benzyl and R^{12} is selected from the group consisting of a hydrogen atom, 2-(2-methoxyphenyl)ethyl, (1-ethyl-2-pyrrolidino)methyl, pyridin-2-ymethyl, 2-methyl-5-chlorophenyl, (2-(pyridin-2-yl)ethyl), 1-ethyl-2-pyrrolidinylmethyl, 3,3,5-trimethylcyclohexyl, 3,4-methylenedioxyphenyl, 3-(trifluoromethyl)benzyl, pyridin-4-ylmethyl, 6-indazolyl, 2-(ethoxylcarbonyl)ethyl, cyclooctyl, cyclopropyl, benzyl, N,N-(diethylamino)ethyl, 3-(2-oxo-1-pyrrolidine)propyl, 3-(4-morpholino)propyl, (ethoxylcarbonyl)methyl and cyclohexyl;

R^5 is selected from the group consisting of phenoxyphenyl, 4-hydroxy-3-methoxyphenyl, 3,4,5-trimethoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-methoxyl-1-naphthyl, 4-bromo-2-thienyl, 4-pyridyl, isopropyl, 2-methylthioethyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 4-t-butylphenyl, 2,3-dichlorophenyl, 3,5-bis(trifluoromethyl)phenyl, 2,5-difluorophenyl, 2-quinolyl, 2-chloro-3,4-dimethoxylphenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 2-(ethoxycarbonyl)cyclopropyl, 5-nitro-2-furyl, 4-bromophenyl, cyclopropyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 4-methylthiophenyl, 4-(trifluoromethyl)phenyl, 2-thienyl, 2,3-dimethoxyphenyl, 3-ethoxy-4-hydroxyphenyl, 4-cyanophenyl, 3-cyanophenyl, 2-furyl, 4-nitrophenyl, 1-napthyl, 2-methoxyphenyl, 4-isopropylphenyl, piperonyl, 2-fluorophenyl, 4-ethoxyphenyl and 2,4-dihydroxyphenyl;

R^6 is selected from the group consisting of methylene, ethylidene, ethylene, propylene, pentylene, isopentylidene, 3-aminocarbonylbutylidene, 2-methylthiopropylidene, isobutylidene, phenylmethylene, benzylmethylene, cyclohexylethylidene, 4-chlorobenzylmethylene, indol-3-ylethylidene, 4-trifluoroacetamidopentylidene, 3-guanidobutylidene, hydroxyethylidene, 2-aminocarbonylpropylidene, isopentylidene, mercaptoethylidene, 4-hydroxybenzylmethylene, 1,3-phenylene, 1,4-phenylene, 1,4-(phenylene)-NH-, 3,6-dioxaoctylene-NH-, $-CH_2CH_2NH-$ and 1,4-(cyclohexylene)-NH-; and

R^7 and R^8 are each a hydrogen atom.

Claim 47 (previously added): The single compound of claim 44, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)R^{11}$, wherein R^{11} is selected from the group consisting of 1,3,3-trimethyl-6-aza-6-bicyclo(3,2,1)octyl, 4-(4-fluorophenyl)-1-piperazino, 4-acetyl-1-piperazino, piperazino, 2-methyl-4-(3-methylphenyl)-1-piperazino, 4-(ethoxycarbonyl)piperidino, N-methylhomopiperazino and N,N'-diisopropylimidamino;

R^5 is selected from the group consisting of phenoxyphenyl,

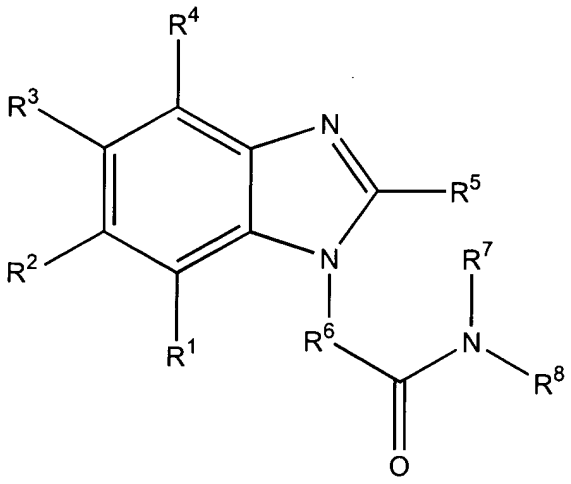
4-hydroxy-3-methoxyphenyl, 3,4,5-trimethoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-methoxyl-1-naphthyl, 4-bromo-2-thienyl, 4-pyridyl, isopropyl, 2-methylthioethyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 4-t-butylphenyl, 2,3-dichlorophenyl, 3,5-bis(trifluoromethyl)phenyl, 2,5-difluorophenyl, 2-quinolyl, 2-chloro-3,4-dimethoxylphenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 2-(ethoxycarbonyl)cyclopropyl, 5-nitro-2-furyl, 4-bromophenyl, cyclopropyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 4-methylthiophenyl, 4-(trifluoromethyl)phenyl, 2-thienyl, 2,3-dimethoxyphenyl, 3-ethoxy-4-hydroxyphenyl, 4-cyanophenyl, 3-cyanophenyl, 2-furyl, 4-nitrophenyl, 1-napthyl, 2-methoxyphenyl, 4-isopropylphenyl, piperonyl, 2-fluorophenyl, 4-ethoxyphenyl and 2,4-dihydroxyphenyl;

R^6 is selected from the group consisting of methylene, ethylidene, ethylene, propylene, pentylene, isopentylidene, 3-aminocarbonylbutylidene, 2-methylthiopropylidene, isobutylidene, phenylmethylene, benzylmethylene, cyclohexylethylidene, 4-chlorobenzylmethylene, indol-3-ylethylidene, 4-trifluoroacetamidopentylidene, 3-guanidobutylidene, hydroxyethylidene, 2-aminocarbonylpropylidene, isopentylidene, mercaptoethylidene, 4-hydroxybenzylmethylene, 1,3-phenylene, 1,4-phenylene, 1,4-(phenylene)-NH-, 3,6-dioxaoctylene-NH-, $-CH_2CH_2NH-$ and 1,4-(cyclohexylene)-NH-;and

R^7 and R^8 are each a hydrogen atom.

Claim 48 (canceled).

Claim 49 (previously added): A single compound of the formula:



wherein:

R^1, R^2 and R^4 are, independently, selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula

$-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^3 is selected from the group consisting of hydroxy, protected hydroxy, cyano, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12}

heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^5 is selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, carboxy, protected carboxy, cyano, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_1 to C_{12} alkoxycarbonyl, C_1 to C_{12} substituted alkoxycarbonyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl;

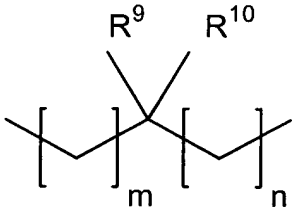
R^6 is the formula:

-D-W-E-

wherein:

W is absent or selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, arylene, substituted arylene, heterocyclene, substituted heterocyclene, heteroarylene and substituted heteroarylene; and

D, which is directly attached to the nitrogen depicted in the formula, and E, which can be absent, are independently selected from the group consisting of C_1 to C_{12} alkylene, C_2 to C_{12} alkenylene, C_2 to C_{12} alkynylene, C_1 to C_{12} substituted alkylene, C_2 to C_{12} substituted alkenylene, C_2 to C_{12} substituted alkynylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, C_7 to C_{18} phenylalkylene, C_7 to C_{18} substituted phenylalkylene, C_1 to C_{12} heterocycloalkylene and C_1 to C_{12} substituted heterocycloalkylene, -NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, a heterocyclic ring, substituted heterocyclic ring, heteroaryl, substituted heteroaryl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, C_7 to C_{18} phenylalkoxy, C_7 to C_{18} substituted phenylalkoxy, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl and protected hydroxymethyl; and m and n are, independently, 0, 1, 2, 3 or 4; and

R^7 and R^8 are, independently, selected from the group consisting of a functionalized resin, a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, [[and]] C_1 to C_{12} substituted heterocycloalkyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl, substituted phenylaminocarbonyl, C_1 to C_{12} alkylaminothiocarbonyl, C_1 to C_{12} substituted alkylaminothiocarbonyl, phenylaminothiocarbonyl and substituted phenylaminothiocarbonyl;

provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula - $C(O)NR^{11}R^{12}$; or

provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula - $C(O)R^{11}$, wherein R^{11} is a heterocyclic ring or substituted heterocyclic ring, wherein said ring

contains at least one nitrogen atom and wherein said nitrogen atom is attached to the carbonyl carbon; or

a pharmaceutically acceptable salt of a compound thereof;

with the proviso that when $R^7$and R^8 are hydrogen or $-CH_2CH_3$, substituents R^1, R^2, R^3 and R^4 cannot be hydrogen.

Claim 50 (previously added): The single compound of claim 49, wherein R^5 is selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl and C_3 to C_7 substituted cycloalkyl.

Claim 51 (currently amended): The single compound of claim 49, wherein:

R^1, R^2 and [R^3] $\underline{R^4}$ are, independently, selected from the group consisting of a hydrogen atom, halo, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, carboxy, and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$ and (ii) the formula $-C(O)R^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle and substituted heterocycle;

$\underline{R^3}$ $\underline{\text{is selected from the group consisting of a } C_1 \text{ to } C_{12} \text{ substituted alkyl, carboxy, and the group consisting of (i) the formula } -C(O)NR^{11}R^{12} \text{ and (ii) the formula } -C(O)R^{11}\text{, wherein } R^{11} \text{ and } R^{12} \text{ are, independently, selected from the group consisting of a hydrogen atom, } C_1 \text{ to } C_{12} \text{ alkyl, } C_1 \text{ to } C_{12} \text{ substituted alkyl, } C_2 \text{ to } C_{12} \text{ alkenyl, } C_2 \text{ to } C_{12} \text{ substituted alkenyl, } C_7 \text{ to } C_{18} \text{ phenylalkyi, } C_7 \text{ to } C_{18} \text{ substituted phenylalkyl, } C_1 \text{ to } C_{12} \text{ heterocycloalkyl, } C_1 \text{ to } C_{12} \text{ substituted heterocycloalkyi, heteroaryl, substituted heteroaryl, heterocycle and substituted heterocycle;}$

R^5 is selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted

phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl and C_3 to C_7 substituted cycloalkyl;

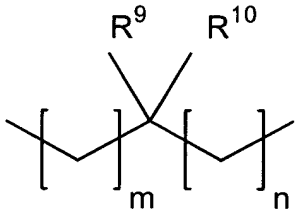
R^6 is the formula:

-D-W-E-

wherein:

W is absent or selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene and C_3 to C_7 substituted cycloalkylene; and

D, which is directly attached to the nitrogen depicted in the formula, and E, which can be absent, are, independently, selected from the group consisting of C_1 to C_{12} alkylene, C_1 to C_{12} substituted alkylene, -NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, phenyl, substituted phenyl; and m and n are independently 0, 1 or 2; and

R^7 and R^8 are each a hydrogen atom.

Claim 52 (previously added): The single compound of claim 49, wherein R^6 is methylene, R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)NR^{11}R^{12}$.

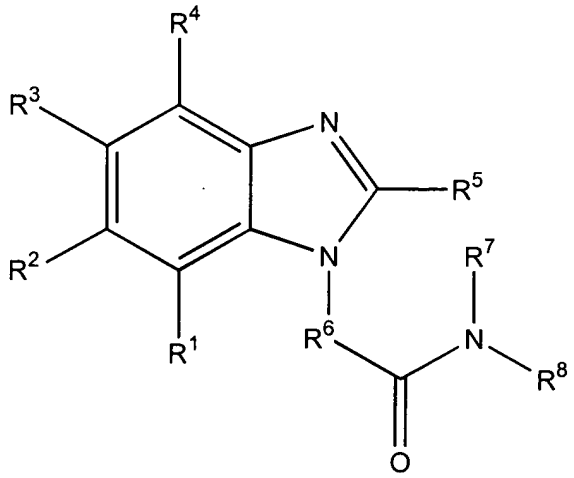
Claim 53 (previously added): The single compound of claim 49, wherein R^6 is methylene, R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)R^{11}$, wherein R^{11}

is a heterocyclic ring or substituted heterocyclic ring, wherein said ring contains at least one nitrogen atom and wherein said nitrogen atom is attached to the carbonyl carbon.

Claim 54 (previously added): The single compound of claim 49, wherein R^6 is not methylene.

Claim 55 (previously added): The single compound of claim 49, wherein R^3 is selected from (i) the formula $-C(O)NR^{11}R^{12}$ ans (ii) the formula $-C(O)R^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl.

Claim 56 (previously added): A single compound of the formula:



wherein:

R^1, R^2, R^3 and R^4 are, independently, selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12}

alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene, carboxy, protected carboxy, hydroxymethyl, protected hydroxymethyl, protected amino, (monosubstituted)amino, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{10} alkylamino, C_1 to C_{10} substituted alkylamino, carboxamide, protected carboxamide, C_1 to C_{10} alkylthio, C_1 to C_{10} substituted alkylthio, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{10} alkylsulfoxide, C_1 to C_{10} substituted alkylsulfoxide, phenylthio, substituted phenylthio, phenylsulfoxide, substituted phenylsulfoxide, phenylsulfonyl, substituted phenylsulfonyl and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$, (ii) the formula $-C(O)R^{11}$, (iii) the formula $-NR^{11}R^{12}$, (iv) the formula $-SR^{11}$, (v) the formula $-OR^{11}$ and (vi) the formula $-C(O)OR^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle, substituted heterocycle, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl and substituted phenylaminocarbonyl;

R^5 is selected from the group consisting of phenyl, substituted phenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, carboxy, protected carboxy, protected (monosubstituted)amino, (disubstituted)amino, C_1 to C_{12} alkoxycarbonyl, C_1 to C_{12} substituted alkoxycarbonyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl;

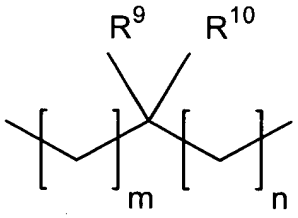
R^6 is the formula:

-D-W-E-

wherein:

W is absent or selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, arylene, substituted arylene, heterocyclene, substituted heterocyclene, heteroarylene and substituted heteroarylene; and

D, which is directly attached to the nitrogen depicted in the formula, and E, which can be absent, are independently selected from the group consisting of C_1 to C_{12} alkylene, C_2 to C_{12} alkenylene, C_2 to C_{12} alkynylene, C_1 to C_{12} substituted alkylene, C_2 to C_{12} substituted alkenylene, C_2 to C_{12} substituted alkynylene, C_3 to C_7 cycloalkylene, C_3 to C_7 substituted cycloalkylene, C_5 to C_7 cycloalkenylene, C_5 to C_7 substituted cycloalkenylene, C_7 to C_{18} phenylalkylene, C_7 to C_{18} substituted phenylalkylene, C_1 to C_{12} heterocycloalkylene and C_1 to C_{12} substituted heterocycloalkylene, -NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, a heterocyclic ring, substituted heterocyclic ring, heteroaryl, substituted heteroaryl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, C_7 to C_{18} phenylalkoxy, C_7 to C_{18} substituted phenylalkoxy, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7

heteroalkylene, carboxy, protected carboxy, hydroxymethyl and protected hydroxymethyl; and m and n are, independently, 0, 1, 2, 3 or 4; and

R^7 and R^8 are, independently, selected from the group consisting of a functionalized resin, a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, phenyl, substituted phenyl, heterocycle, substituted heterocycle, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, [[and]] C_1 to C_{12} substituted heterocycloalkyl, C_1 to C_{12} acyl, C_1 to C_{12} substituted acyl, phenylsulfonyl, substituted phenylsulfonyl, C_1 to C_{10} alkylsulfonyl, C_1 to C_{10} substituted alkylsulfonyl, C_1 to C_{12} alkylaminocarbonyl, C_1 to C_{12} substituted alkylaminocarbonyl, phenylaminocarbonyl, substituted phenylaminocarbonyl, C_1 to C_{12} alkylaminothiocarbonyl, C_1 to C_{12} substituted alkylaminothiocarbonyl, phenylaminothiocarbonyl and substituted phenylaminothiocarbonyl;

provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula $-C(O)NR^{11}R^{12}$; or

provided that, where R^6 is methylene, at least one of R^1 to R^4 must be the formula $-C(O)R^{11}$, wherein R^{11} is a heterocyclic ring or substituted heterocyclic ring, wherein said ring contains at least one nitrogen atom and wherein said nitrogen atom is attached to the carbonyl carbon; or a pharmaceutically acceptable salt of a compound thereof;

with the proviso that when $R^7$and R^8 are hydrogen or $-CH_2CH_3$, substituents R^1, R^2, R^3 and R^4 cannot be hydrogen.

Claim 57 (currently amended): The single compound of claim 56, wherein R^1, R^2, R^3 and R^4 [[and R^3]] are, independently, selected from the group consisting of a hydrogen atom, halo, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, carboxy, and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$ and (ii) the formula $-C(O)R^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted

phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle and substituted heterocycle.

Claim 58 (previously added): The single compound of claim 56, wherein R^1, R^2, and R^4 are each a hydrogen atom and R^3 is selected from the group consisting of halo, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, carboxy, and the group consisting of (i) the formula $-C(O)NR^{11}R^{12}$ and (ii) the formula $-C(O)R^{11}$, wherein R^{11} and R^{12} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} substituted alkenyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heteroaryl, substituted heteroaryl, heterocycle and substituted heterocycle.

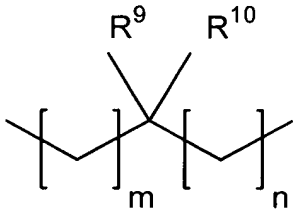
Claim 59 (previously added): The single compound of claim 56, wherein R^6 is the formula:

-D-W-E-

wherein:

W is absent or selected from the group consisting of phenylene, substituted phenylene, C_3 to C_7 cycloalkylene and C_3 to C_7 substituted cycloalkylene; and

D, which is directly attached to the nitrogen depicted in the formula, and E, which can be absent, are, independently, selected from the group consisting of C_1 to C_{12} alkylene, C_1 to C_{12} substituted alkylene, –NH- and the formula:



wherein R^9 and R^{10} are, independently, selected from the group consisting of a hydrogen atom, C_1 to C_{12} alkyl, C_1 to C_{12} substituted alkyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, phenyl, substituted phenyl; and m and n are, independently, 0, 1 or 2.

Claim 60 (previously added): The single compound of claim 56, wherein R^7 and R^8 are each a hydrogen atom.

Claim 61 (previously added): The single compound of claim 56, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)NR^{11}R^{12}$, wherein wherein R^{11} is selected from the group consisting of a hydrogen atom, methyl, ethyl and benzyl and R^{12} is selected from the group consisting of a hydrogen atom, benzyl, 4-methoxyphenyl, 4-phenoxyphenyl, (1-ethyl-2-pyrrolidino)methyl, pyridin-2-ylmethyl, 2-(pyridin-2-yl)ethyl, methyl, 3,3,5-trimethylcyclohexyl, cyclohexyl, 3-(trifluoromethyl)benzyl, 6-indazolyl, 2-(ethoxycarbonyl)ethyl, ethoxycarbonylmethyl, cyclooctyl, cyclopropyl, (N,N-diethylamino)ethyl, 3-(2-oxo-1-pyrrolidino)propyl, (1-ethyl-2-pyrrolidinyl)methyl, pyridin-4-ylmethyl, 3-(4-morpholino)propyl, 4-methylphenyl, butyl and 2-thiazolyl;

R^5 is selected from the group consisting of 3-phenoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-bromo-2-thienyl, 4-pyridyl, 2-butyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 2,3-dichlorophenyl, 2,5-difluorophenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 5-nitro-2-furyl, 4-bromophenyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 2-thienyl, 4-cyanophenyl, 3-cyanophenyl, 4-nitrophenyl, 2-fluorophenyl, 4-carboxyphenyl, 2-bromophenyl, 2-chloro-3,4-dimethoxyphenyl, 3-thienyl, 4-quinolyl, 4-methyl-5-imidazolyl, 4-hydroxyphenyl, 2-ethyl-5-formyl-4-methylimidazolyl, 4-chloro-2-nitrophenyl, 3-pyridyl, 3,4-dimethyl-6-nitrophenyl, 5-chloro-2-nitrophenyl and 2-nitrophenyl;

R^6 is selected from the group consisting of methylmethylene, ethylene, propylene, pentylene, isobutylmethylene, 3-aminocarbonylpropylmethylene, 2-methylthioethylmethylene, isopropylmethylene, phenylmethylene, benzylmethylene, cyclohexylmethylmethylene, 4-chlorobenzylmethylene, indol-3-ylmethylmethylene, 4-trifluoroacetamidobutylmethylene, 3-guanidopropylmethylene, $-CH_2CH_2NH-$ and 1-cyclohexylene-4-NH-; and

R^7 and R^8 are each a hydrogen atom.

Claim 62 (previously presented): The single compound of claim 56, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)R^{11}$, wherein R^{11} is selected from the group consisting of 1,3,3-trimethyl-6-aza-6-bicyclo(3,2,1)octyl, 4-(4-fluorophenyl)-1-piperazino, 4-acetyl-1-piperazino, morpholino, 2-methyl-4-(3-methylphenyl)-1-piperazino, 4-ethoxycarbonylpiperidino and N-methylhomopiperazino;

R^5 is selected from the group consisting of 3-phenoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-bromo-2-thienyl, 4-pyridyl, 2-butyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 2,3-dichlorophenyl, 2,5-difluorophenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 5-nitro-2-furyl, 4-bromophenyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 2-thienyl, 4-cyanophenyl, 3-cyanophenyl, 4-nitrophenyl, 2-fluorophenyl, 4-carboxyphenyl, 2-bromophenyl, 2-chloro-3,4-dimethoxyphenyl, 3-thienyl, 4-quinolyl, 4-methyl-5-imidazolyl, 4-hydroxyphenyl, 2-ethyl-5-formyl-4-methylimidazolyl, 4-chloro-2-nitrophenyl, 3-pyridyl, 3,4-dimethyl-6-nitrophenyl, 5-chloro-2-nitrophenyl and 2-nitrophenyl;

R^6 is selected from the group consisting of methylmethylene, ethylene, propylene, pentylene, isobutylmethylene, 3-aminocarbonylpropylmethylene, 2-methylthioethylmethylene, isopropylmethylene, phenylmethylene, benzylmethylene, cyclohexylmethylmethylene, 4-chlorobenzylmethylene, indol-3-ylmethylmethylene, 4-trifluoroacetamidobutylmethylene, 3-guanidopropylmethylene, $-CH_2CH_2NH-$ and 1-cyclohexylene-4-NH-; and

R^7 and R^8 are each a hydrogen atom.

Claim 63 (previously presented): The single compound of claim 56, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)NR^{11}R^{12}$, wherein R^{11} is selected from the group consisting of a hydrogen atom, methyl, ethyl and benzyl and R^{12} is selected from the group consisting of a hydrogen atom, 2-(2-methoxyphenyl)ethyl, (1-ethyl-2-pyrrolidino)methyl, pyridin-2-ymethyl, 2-methyl-5-chlorophenyl,

(2-(pyridin-2-yl)ethyl), 1-ethyl-2-pyrrolidinylmethyl, 3,3,5-trimethylcyclohexyl, 3,4-methylenedioxyphenyl, 3-(trifluoromethyl)benzyl, pyridin-4-ylmethyl, 6-indazolyl, 2-(ethoxylcarbonyl)ethyl, cyclooctyl, cyclopropyl, benzyl, N,N-(diethylamino)ethyl, 3-(2-oxo-1-pyrrolidine)propyl, 3-(4-morpholino)propyl, (ethoxylcarbonyl)methyl and cyclohexyl;

R^5 is selected from the group consisting of phenoxyphenyl, 4-hydroxy-3-methoxyphenyl, 3,4,5-trimethoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-methoxyl-1-naphthyl, 4-bromo-2-thienyl, 4-pyridyl, isopropyl, 2-methylthioethyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 4-t-butylphenyl, 2,3-dichlorophenyl, 3,5-bis(trifluoromethyl)phenyl, 2,5-difluorophenyl, 2-quinolyl, 2-chloro-3,4-dimethoxylphenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 2-(ethoxycarbonyl)cyclopropyl, 5-nitro-2-furyl, 4-bromophenyl, cyclopropyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 4-methylthiophenyl, 4-(trifluoromethyl)phenyl, 2-thienyl, 2,3-dimethoxyphenyl, 3-ethoxy-4-hydroxyphenyl, 4-cyanophenyl, 3-cyanophenyl, 2-furyl, 4-nitrophenyl, 1-napthyl, 2-methoxyphenyl, 4-isopropylphenyl, piperonyl, 2-fluorophenyl, 4-ethoxyphenyl and 2,4-dihydroxyphenyl;

R^6 is selected from the group consisting of methylene, ethylidene, ethylene, propylene, pentylene, isopentylidene, 3-aminocarbonylbutylidene, 2-methylthiopropylidene, isobutylidene, phenylmethylene, benzylmethylene, cyclohexylethylidene, 4-chlorobenzylmethylene, indol-3-ylethylidene, 4-trifluoroacetamidopentylidene, 3-guanidobutylidene, hydroxyethylidene, 2-aminocarbonylpropylidene, isopentylidene, mercaptoethylidene, 4-hydroxybenzylmethylene, 1,3-phenylene, 1,4-phenylene, 1,4-(phenylene)-NH-, 3,6-dioxaoctylene-NH-, $-CH_2CH_2NH-$ and 1,4-(cyclohexylene)-NH-and

R^7 and R^8 are each a hydrogen atom.

Claim 64 (previously presented): The single compound of claim 56, wherein:

R^1, R^2 and R^4 are each a hydrogen atom and R^3 is the formula $-C(O)R^{11}$, wherein R^{11} is selected from the group consisting of 1,3,3-trimethyl-6-aza-6-bicyclo(3,2,1)octyl,

4-(4-fluorophenyl)-1-piperazino, 4-acetyl-1-piperazino, piperazino, 2-methyl-4-(3-methylphenyl)-1-piperazino, 4-(ethoxycarbonyl)piperidino, N-methylhomopiperazino and N,N'-diisopropylimidamino;

R^5 is selected from the group consisting of phenoxyphenyl, 4-hydroxy-3-methoxyphenyl, 3,4,5-trimethoxyphenyl, 3-hydroxy-4-methoxyphenyl, 4-acetamidophenyl, 4-phenoxyphenyl, 4-methoxyl-1-naphthyl, 4-bromo-2-thienyl, 4-pyridyl, isopropyl, 2-methylthioethyl, 4-chloro-3-nitrophenyl, 3-nitrophenyl, 4-t-butylphenyl, 2,3-dichlorophenyl, 3,5-bis(trifluoromethyl)phenyl, 2,5-difluorophenyl, 2-quinolyl, 2-chloro-3,4-dimethoxylphenyl, 5-methyl-2-furyl, 4-chloro-3-fluorophenyl, 2-phenyl-4-imidazolyl, 2-(ethoxycarbonyl)cyclopropyl, 5-nitro-2-furyl, 4-bromophenyl, cyclopropyl, 2-norbornen-5-yl, 6-nitropiperonyl, 2-chloro-5-nitrophenyl, 5-hydroxy-2-nitrophenyl, 3-hydroxyphenyl, 3,4-difluorophenyl, 4-dimethylaminophenyl, 4-methylthiophenyl, 4-(trifluoromethyl)phenyl, 2-thienyl, 2,3-dimethoxyphenyl, 3-ethoxy-4-hydroxyphenyl, 4-cyanophenyl, 3-cyanophenyl, 2-furyl, 4-nitrophenyl, 1-napthyl, 2-methoxyphenyl, 4-isopropylphenyl, piperonyl, 2-fluorophenyl, 4-ethoxyphenyl and 2,4-dihydroxyphenyl;

R^6 is selected from the group consisting of methylene, ethylidene, ethylene, propylene, pentylene, isopentylidene, 3-aminocarbonylbutylidene, 2-methylthiopropylidene, isobutylidene, phenylmethylene, benzylmethylene, cyclohexylethylidene, 4-chlorobenzylmethylene, indol-3-ylethylidene, 4-trifluoroacetamidopentylidene, 3-guanidobutylidene, hydroxyethylidene, 2-aminocarbonylpropylidene, isopentylidene, mercaptoethylidene, 4-hydroxybenzylmethylene, 1,3-phenylene, 1,4-phenylene, 1,4-(phenylene)-NH-, 3,6-dioxaoctylene-NH-, $-CH_2CH_2NH-$ and 1,4-(cyclohexylene)-NH-; and

R^7 and R^8 are each a hydrogen atom.

Claim 65 (previously presented): The single compound of claim 56, wherein

R^1, R^2, R^4, R^7 and R^8 are each a hydrogen atom;

R^3 is the formula $-C(O)NR^{11}R^{12}$, wherein R^{11} is a hydrogen atom and R^{12} is selected from the group consisting of pyridin-2-ylmethyl and 3,3,5-trimethylcyclohexyl;

R^5 is selected from the group consisiting of 4-N,N-dimethylaminophenyl, 5-chloro-2-nitrophenyl, 4-bromo-2-thienyl, 2-butyl, 5-nitro-2-furyl, 4-bromophenyl, 2-thienyl, 3-thienyl, 3-cyanophenyl, 4-cyanophenyl, 4-quinolyl and 4-hydroxyphenyl; and

R^6 is methylene.

Claim 66 (previously presented): The single compound of claim 56, wherein R^4 is selected from the group consisting of a hydrogen atom, halo, hydroxy, protected hydroxy, cyano, C_1 to C_{12} alkyl, C_2 to C_{12} alkenyl, C_2 to C_{12} alkynyl, C_1 to C_{12} substituted alkyl, C_2 to C_{12} substituted alkenyl, C_2 to C_{12} substituted alkynyl, C_1 to C_{12} alkoxy, C_1 to C_{12} substituted alkoxy, C_1 to C_{12} acyloxy, C_1 to C_{12} acyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl, C_5 to C_7 substituted cycloalkenyl, heterocyclic ring, substituted heterocyclic ring, C_7 to C_{18} phenylalkyl, C_7 to C_{18} substituted phenylalkyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, phenyl, substituted phenyl, naphthyl, substituted naphthyl, cyclic C_2 to C_7 alkylene, substituted cyclic C_2 to C_7 alkylene, cyclic C_2 to C_7 heteroalkylene, substituted cyclic C_2 to C_7 heteroalkylene.

Claim 67 (previously presented): The single compound of claim 56, wherein R^5 is selected from the group consisting of phenyl, substituted phenyl, C_1 to C_{12} heterocycloalkyl, C_1 to C_{12} substituted heterocycloalkyl, heterocycle, substituted heterocycle, naphthyl, substituted naphthyl, C_3 to C_7 cycloalkyl, C_3 to C_7 substituted cycloalkyl, C_5 to C_7 cycloalkenyl and C_5 to C_7 substituted cycloalkenyl.

Claim 68 (previously presented): The single compound of claim 42, wherein R^6 is methylene and at least one of R^1 to R^4 must be the formula $-C(O)NR^{11}R^{12}$.

Claim 69 (previously presented): The single compound of claim 42, wherein R^6 is methylene and at least one of R^1 to R^4 must be the formula $-C(O)R^{11}$, where R^{11} is a heterocyclic ring or substituted heterocyclic ring, wherein said ring contains at least one nitrogen atom and where said nitrogen atom is attached to the carbonyl carbon.

Claim 70 (previously presented): The single compound of claim 44, wherein R^6 is methylene and at least one of R^1 to R^4 must be the formula $-C(O)NR^{11}R^{12}$;

Claim 71 (previously presented): The single compound of claim 44, wherein R^6 is methylene and at least one of R^1 to R^4 must be the formula $-C(O)R^{11}$, wherein R^{11} is a heterocyclic ring or substituted heterocyclic ring, wherein said ring contains at least one nitrogen atom and wherein said nitrogen atom is attached to the carbonyl carbon.

REMARKS

This is a response to the Notice of Non-Responsive Amendment dated October 12, 2005. Claims 41, 42, 44, 46, 47 and 49-71 are pending in this application. In the Notice, the Examiner indicated that Applicant had not indicated which of the newly added claims (renumbered claims 49-71)[1] are readable upon the elected species (Paper No. 7, paragraph 9).

In reviewing the claims, it was noted that claim 51 was supposed to be identical to claim 22 as amended in the Amendment filed September 24, 2002 (Paper No. 22), except for the claim dependency. Claim 22 was originally dependent on independent claim 36, which is now independent claim 49. Claim 51 as presented in the last amendment filed July 21, 2004, did not include the amendments made to claim 22 made in the Amendment filed September 24, 2002. Accordingly, claim 51 has been amended to correct this error.

Also, in reviewing the claims, it was noted that claim 17, which was originally dependent on original claim 16, defined R^1, R^2, R^3 and R^4 as a group. Claim 16 was subsequently amended to delete "R^4" from the group. At the same time, claim 17 was also amended to delete "R^4" from the group. In the next Amendment filed September 24, 2002 (Paper No. 22), claim 17 was amended to be dependent on claim 39. While claim 17 was amended to change the dependency, the claim included "R^4" in the group. There was no indication in the marked up version of claim 17 that "R^4" was being reinserted in the group. However, since claim 39 defined the group as including "R^4", it is believed that it was intended that claim 17 be amended to reinstate "R^4". Accordingly, claim 57 has been amended to include "R^4" in the group.

[1] It was noted that the Amendment filed July 21, 2004 contained two claims numbered 63. Accordingly, original numbered claims 63-70, beginning with the second claim numbered 63, have been renumbered as claims 64 to 71.

None of the claims previously presented, that is claims 17-22, 25, 26, 35, 36, 38-40 and 42-45, been rejected over prior art that read on the elected species. In the Office Action dated July 19, 2001, the Examiner indicated that the "elected species is deemed free of the prior art" (Paper No. 15, ¶ 8). The Examiner regarded newly added claims 35-40, and original claim 16-22, 25 and 26, as reading on the elected invention (Paper No. 19, ¶ 8).

Claims 16-22, 25 and 35-40 were subsequently rejected over new prior art, but the prior art did not disclose or suggest the elected species (Paper No. 19, ¶¶ 14-16). Dependent claim 26 was indicated as containing allowable subject matter (Paper No. 19, ¶ 17). In response to the Office Action, claims 16 and 37 were canceled and claims 17, 18, 20, 21 and 35 were amended to change the dependency from independent claim 16 to independent claim 39, while claims 19, 22-25 were amended to change the dependency from independent claim 16 to independent claim 36. In addition, new independent claims 42 and 44 directed to the elected invention were added as well as new dependent claims 42 and 45-47. New dependent claim 48 was also added. This new claim was directed to a a method of preparing compound defined in claim 39. In the next Office Action, the Examiner did not require Applicant to indicate which of the claims were readable upon the elected species, but held that claims 46 and 47 were withdrawn from consideration because they did not read on the elected species and that claim 48 was withdrawn because directed to a non-elected invention (Paper No. 27, ¶¶ 2 and 3). The Examiner regarded claims 17-22, 25, 26, 35, 36, 38-40 and 42-45 as being directed to the elected species (Paper No. 27, ¶ 4).

In the next Office Action, the prior rejections were withdrawn and the claims were rejected again over a new prior art reference. The Action was made final. Applicant requested

continued examination of the application and filed declarations under Rule 131 to antedate the reference.

In the first Office Action after filing the request for continued examination, the rejection was withdrawn and new rejections were made over new prior art references. None of the new references relied upon by the Examiner disclosed or suggested the elected species.

Independent claims 36 and 39, which the Examiner previously indicated were directed to the elected invention, were rewritten as claims 49 and 56, respectively. The only difference between new claim 49 and previously presented claim 36 is the inclusion of a proviso at the end of the claim to overcome the prior art rejection. Claim 36 was rejected over Barton. The basis for the rejection is that Barton's compound includes an R^3 representing a protected hydroxyl group while R^5 is a substituted alkyl group and an R^6 is methylene. None of these moieties relied upon by the Examiner are directed to moieties of the elected species. Claim 39 was rejected as being anticipated by Hideg et al., Sawlewicz et al. or Barton et al. None of these references disclosed or suggested compounds comprising the elected species. In particular, the moieties for R^5 and R^6 disclosed in the references are not directed to the elected species. Except for the proviso in claims 49 and 56, the claims are identical to claims 36 and 39 which the Examiner has held are directed to the elected invention. Therefore, claims 36 and 39 are readable upon the elected species.

As for claims 50-55 and 57-71, these are dependent claims and are dependent on either original claim 36 or claim 39, now claims 49 and 56, respectively. Claims 18-21, 25-30, 35, 38 and 40 are merely represented as new claims with the only change being to the claim number from which the claim depends. Claims 17 and 22 were amended as discussed, *supra*. Each of

claims 43 and 45 have been split into two new claims. The following table correlates the original claims to the new claim number and indicates the claims which have been amended.

Original Claim Number	New Claim Number	Changes (except for the change in dependency of the claim)
17	57	Amended to correct R^1, R^2, R^3 and R^4 group error.
18	58	None
19	50	None
20	59	None
21	60	None
22	51	Amended to correspond to amended claim 22
23	52	None
24	53	None
25	54	None
26	61	None
27	62	None
28	63	None
29	64	None
30	65	None
35	66	None
38	55	None
40	67	None
43	68 + 69	Original claim 43 split into two separate claims
45	70 + 71	Original claim 45 split into two separate claims

Since the Examiner has found the elected species to be free of prior art and has determined that prior claims 17-22, 25, 35, 36, 38-40, and 42-45 to read on the elected species, claims 42, 44, 50-52, 54-61, 66-68 and 70 read on the elected species. Also, claim 63, which is claim 28 rewritten to be dependent on claim 56, is readable on the elected species because R^1, R^2, R^4, R^7 and R^8 can be hydrogen; R^3 can be $-C(O)NR^{11}R^{12}$ wherein R^{11} and R^{12} are hydrogen; R^5 can be a phenoxyphenyl; and R^6 can be an ethylene group (i.e. methylmethylene as construed by the Examiner).

In the Notice, the Examiner also indicated that the appropriate time fees must be paid to extend the time period for response. The Amendment filed July 21, 2005 did include a petition for a three-month extension of time. A copy is attached as Exhibit A.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Cameron K. Weiffenbach
Registration No. 44,488

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 CKW:ckw
Facsimile: 202.756.8087
Date: August 5, 2005

Please recognize our Customer No. 20277 as our correspondence address.

Applicant: LANG, et al. Docket No. 53904-105

Title: BENZIMIDAZOLE DERIVATIVES AND COMBINATORIAL LIBRARIES THEREOF Serial/Reg./Patent No. 09/401,004

Date Sent: 7/21/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ First Class Mail ☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ Other: _____

_____ pages of Specification

_____ pages of Claims

_____ pages of Abstract

_____ pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☐ Information Disclosure Statement

_____ Form PTO 1449

_____ copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☒ Response/Amendment to Office Action of 2/12/04

☒ Request for 3 month Extension of Time

☐ Letter submitting _____ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for _____ years after grant

☐ Fee Address Indication Form

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other _____

OIPE JC25 JUL 21 2004 PATENT & TRADEMARK OFFICE

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THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

Docket No.: 53904-105 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
LANG, et al.	:	Confirmation Number: 4060
Serial No.: 09/401,004	:	Group Art Unit: 1639
Filed: September 21, 1999	:	Examiner: Jon D. Epperson

For: BENZIMIDAZOLE DERIVATIVES AND COMBINATORIAL LIBRARIES THEREOF

PETITION FOR EXTENSION OF TIME

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

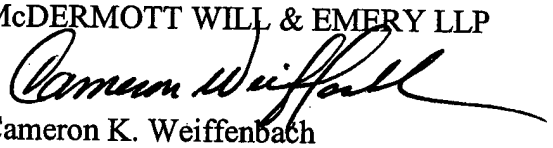
Sir:

It is respectfully requested that the time for response to the Office Action dated February 12, 2004, now due to expire May 12, 2004, be extended for three month(s) and set to expire on August 12, 2004.

Please charge the extension fee of $950.00 to Deposit Account No. 500417. Please charge any additional fees or credit any overpayment to Deposit Account No. 500417.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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Date: **July 21, 2004**

Docket No.: 53904-105 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Hengyuan Lang, et al.	:	Confirmation Number: 4060
Serial No.: 09/401,004	:	Group Art Unit: 1639
Filed: September 21, 1999	:	Examiner: Jon D. Epperson

For: BENZIMIDAZOLE DERIVATIVES AND COMBINATORIAL LIBRARIES THEREOF

REVOCATION OF POWER OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEYS AND CERTIFICATION UNDER 37 C.F.R. § 3.73(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the above-identified application hereby revoke all previous Powers of Attorney and appoints the following attorneys with full power to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent Office connected therewith.

I hereby appoint the following attorneys and/or agents: Daniel Bucca, Reg. No. 42,368; Bernard P. Codd, Reg. No. 46,429; Paul Devinsky, Reg. No. 28,553; Thomas A. Haag, Reg. No. 47,621; Brian K. Seidleck, Reg. No. 51,321; Arthur J. Steiner, Reg. No. 26,106; Judith L. Toffenetti, Reg. No. 39,048; Kelli N. Watson, Reg. No. 47,170; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; all of

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with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

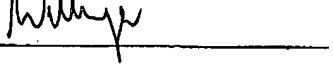
LION BIOSCIENCE AG, having a place of business at Waldhofer Strasse 98, 69123 Heidelberg, Germany, certifies that it is the as any of the entire right, title and interest in the patent application identified above by virtue of an assignment recorded in the U.S. Patent and Trademark Office on September 13, 2001, at Reel 012134, Frame 0632.

The undersigned has reviewed all the documents in the chain of title all the patent application identified above and, to the best all of the undersigned's knowledge and belief, title is in the as in the identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of all the assignee.

The undersigned further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
LION Bioscience AG

Signature: 

Print Name: Peter Willinger

Title: CFO

Date: July 21, 2005